

## **Croatia – Trafficking in Persons (TIP) Report 2012**

Croatia is a destination, source, and transit country for men, women, and children subjected to conditions of sex trafficking and forced labor. Croatian women and girls fall victim to sex trafficking within the country and throughout Europe. Women and girls from the United States, Serbia, Bosnia and Herzegovina, and other parts of Eastern Europe are subjected to sex trafficking in Croatia. Women and men reportedly have been subjected to forced labor in agricultural sectors, and children, including Roma, are subjected to forced begging, pickpocketing, and labor. A report by the Council of Europe's Group of Experts on Action against Trafficking in Human Beings (GRETA) concluded that the extent of trafficking in Croatia could be considerably higher than that identified by the government.

The Government of Croatia fully complies with the minimum standards for the elimination of trafficking. Over the last year, the Croatian government continued its efforts to combat trafficking, notably by incorporating NGOs into its interagency anti-trafficking operational team and into mobile victim identification teams. The government sustained funding for victim services through NGOs. Nevertheless, the government's efforts to protect child victims of sex trafficking were weak. The law did not automatically identify minors under the age of 18 as trafficking victims; trafficking cases involving minors were sometimes prosecuted under the forced pimping statute. Further, the National Committee for the Suppression of Trafficking did not meet in 2011.

Recommendations for Croatia: Intensify efforts to identify trafficking victims proactively among vulnerable populations, particularly women and children in prostitution, children engaged in begging, and migrant men in the agricultural sector; ensure that identified trafficking victims are not punished for committing unlawful acts as a direct result of being trafficked; adopt a policy and articulate that policy through prosecutorial guidance, ordinances, or manuals, to ensure that children in prostitution are not prosecuted for prostitution offenses; ensure that training of law enforcement officials, including non-specialist law enforcement officials, about the principle of non-prosecution of trafficking victims, including children in prostitution; reconvene the government's National Committee for the Suppression of Trafficking; strengthen partnerships with NGOs to enlist their help in identifying victims during authorities' initial contact with potential victims among women and children detained for prostitution offenses; vigorously investigate, prosecute, and convict trafficking offenders; ensure that trafficking offenders are punished with sentences commensurate with the gravity of the crime committed; intensify investigations of trafficking crimes in high tourism sectors and other areas with prostitution; strengthen partnerships with key tourism areas to ensure effective victim identification at the Adriatic coast; expand awareness efforts to educate clients of the sex trade about the demand for commercial sex acts and forced labor; and educate the public about prostitution and its links to trafficking.

### **Prosecution**

The Government of Croatia sustained its law enforcement efforts during the reporting period. Croatia prohibits both forced labor and sex trafficking through Criminal Provision 175 of its

penal code. Provision 175 prescribes penalties of one to 10 years' imprisonment; these penalties are sufficiently stringent and are commensurate with those prescribed for rape. During the year, the government investigated 37 suspected trafficking offenders, in contrast to 19 suspected investigated in 2010. Croatian authorities prosecuted 14 alleged trafficking offenders in six cases, in contrast to 10 prosecuted in 2010. Five of the cases concerned sex trafficking; one case involved both sex and labor trafficking. The government convicted seven trafficking offenders, five under the trafficking statute and two for forced pimping; in 2010, they convicted three. The convicted offenders prosecuted under the trafficking statute were sentenced to prison terms of from one-month's imprisonment to three years' and four months' imprisonment. The two trafficking offenders convicted under the forced pimping statute received prison sentences of nine years and two years and three months. This was a significant increase from prison sentences in 2010, in which the highest sentence awarded was one year and six months' imprisonment. The Ministry of Interior conducted a variety of anti-trafficking trainings for police officers and border officials in 2011, reaching over 1,300 officials in seminars throughout the country. The Croatian government collaborated with both Spanish and Irish law enforcement officials to investigate trafficking cases. The government did not report the investigation, prosecution, conviction, or sentencing of any public officials complicit in human trafficking.

## Protection

The Croatian government sustained its victim protection efforts in 2011, although, as a policy matter, the Croatian government did not identify children in prostitution as trafficking victims. The government funded two NGO trafficking shelters, one for adults and one for women and children; the government also provided three reception centers to provide victims with care before they could be transported to the shelters. The Croatian government provided the equivalent of \$70,381 to fund the shelters in 2011, level with the \$68,759 provided in 2010. Foreign victims were offered the same standard of care as domestic victims, including medical care, education, legal assistance, psychological care, and assistance finding employment. The Croatian government provided the equivalent of an additional \$125,490 in funding for care services, a help line, health care, education, professional training, and legal aid. Adult victims were allowed to leave shelters at will and without chaperones.

In 2011, the government identified 11 victims of trafficking, of whom nine were sex trafficking victims, one was a labor trafficking victim, and one was exploited for both labor and sex. In 2010, twelve victims were identified. NGOs and other entities did not identify any victims of trafficking. In total, the Croatian government funded the care of ten victims of trafficking - four in the children's shelter and six in the adult shelter. The government continued employing a national referral mechanism to identify and care for victims, and began deploying mobile teams with NGO participation to identify and refer trafficking victims for assistance. The Croatian government has designated a trained social worker in each of Croatia's 21 counties to assist trafficking victims. The Croatian government did not automatically identify children in prostitution as trafficking victims. The Croatian government extended the term of the "reflection period" granted to suspected victims of trafficking from 30 days to 60 days for adults and 90 days for children. The government provided legal alternatives to removal for victims of trafficking facing hardship or retribution at home through its temporary residency permits for victims - initially valid from six months to one year, and subject to extension by the government

based on a subsequent needs assessment. There is no legal limit to the amount of time a trafficking victim can spend in the shelter. The government of Croatia encouraged victims to assist in the prosecution of trafficking offenders by providing victims with free legal aid. Eight victims testified against their offenders during the reporting period. An NGO study claimed that the government inadequately protected trafficking victims' rights when they required the victims to testify repeatedly during trial.

## Prevention

The Croatian government sustained its efforts to prevent trafficking in persons during the year. The Croatian government coordinated anti-trafficking activities through a number of mechanisms: a national coordinator housed in the Office for Human Rights; a cabinet-level National Committee; and an Operational Team composed of government officials and NGO representatives. The government's National Committee for the Suppression of Trafficking did not meet in 2011, although the Operational Team to Suppress Trafficking met monthly. NGOs expressed concern that their voices were not given sufficient weight within the Operational Team during 2011. In February 2012, the government adopted a new National Plan for Combating Trafficking in Persons. The government conducted a number of anti-trafficking awareness-raising campaigns in 2011, including three anti-trafficking public service announcements that it broadcast on television. The government led anti-trafficking efforts for EU Anti-Trafficking Day, including information booths, leaflets, and anti-trafficking performances. The government provided \$27,000 to NGOs for prevention efforts. Between April and December 2011, NGOs led anti-trafficking awareness-raising sessions in primary and secondary schools, reaching 1,734 primary school students, and 1,078 secondary school students. The Ministry of Interior reported that it intensified measures to prevent prostitution by monitoring restaurants and night clubs, but did not otherwise report efforts to reduce the demand for commercial sex acts. In an effort to address vulnerabilities to trafficking in Croatia's tourist area, the Croatian Human Rights office organized a lecture for 20 tourism workers at a popular spa resort near Zagreb. The Croatian government provided anti-trafficking training to members of the Croatian armed forces prior to their deployment abroad on international peacekeeping missions.